

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.02.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.3833 of 2019

Raja @ Govindaraj

...Petitioner

-Vs-

1. The Superintendent of Police
Tiruvarur District,
Tiruvarur.

2. The Inspector of Police,
Mannargudi Town Police Station,
Mannargudi,
Tiruvarur District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to grant police protection to the petitioner for fencing his land in T.S.No.4247, situated at Ward No.1 and Block No.90, Mannargudi Town, Tiruvarur District.

For Petitioner : M/s.B.Jawahar

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking for police protection.

2. The learned counsel for the petitioner would submit that the petitioner has purchased an extent of 4800 sq.ft of land in T.S.No.4247, situated in Block No.62, Ward No.1, Mannargudi Town, Tiruvarur District by way of registered sale deed dated 25.02.2013. The petitioner has started to fence the land, one Chozhan has causing disturbance without any right. Hence, the petitioner lodged a complaint to the respondent police. Since, no action has been taken, the petitioner has filed the present petition with the aforesaid prayer.

3. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature, since, it is a land dispute and purely civil in nature.

4. Heard Mr.B.Jawahar, learned Counsel for the petitioner and Mr.Mohammed Riyaz, learned Additional Public Prosecutor for the respondents police.

5. In view of the above, the petitioner has to file an appropriate petition before the Court below and seek remedy. It is also possible for the petitioner to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioner cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

6. Accordingly, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout her remedy before the Court below in the manner indicated herein above.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mpa/lpp

To

1.The Superintendent of Police
Tiruvarur District,
Tiruvarur.

2.The Inspector of Police,
Mannargudi Town Police Station,
Mannargudi,
Tiruvarur District.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.B.Jawahar, Advocate, S.R.No.14047

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SR(CO)

rrs 26/03/2019